



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Melvin S. MOGIL

Group Art Unit:

Application No.: 10/642,211 (Unofficial)

Examiner:

Filed: August 18, 2003

Atty. Dkt. No.: 100570-00036

For: DIVIDED INSULATED CONTAINER

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

September 26, 2003

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information item(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each item(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the item(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date or the date of filing a CPA, OR (b) before the mailing date of a first Office Action on the merits in the present application, or (c) accompanies a Request for Continued Examination. No certification or fee is required.
- 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

- c. A check in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.
- 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Attached is our check in the amount of \$130.00 in payment of the petition fee under 37 CFR §1.17(i)(1). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.
- a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).
- 4. The reference(s) was/were cited by or submitted to the Office in parent application No. 09/881,770, filed June 18, 2001, which is relied upon for an earlier filing date under 35 U.S.C. §120. Thus, copies of these references are not attached. 37 CFR §1.98(d).

Respectfully submitted,

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC



Charles M. Marmelstein  
Registration No. 25,895

21931

1050 Connecticut Avenue, N.W., Suite 400  
Washington, D.C. 20036-5339  
Tel: (202) 857-6000  
Fax: (202) 638-4810

CMM:mmg

Enclosures: PTO-1449 Form (2 pages)



FORM PTO-1449

 U.S. DEPARTMENT OF COMMERCE  
 PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.	SERIAL NO.
100570-00036	10/642,211
APPLICANT	
Melvin S. MOGIL	
FILING DATE	GROUP
August 18, 2003	

## LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA	2,827,096	3/18/58	HINSON			
	AB	4,300,356	11/17/81	NOTARO et al			
	AC	4,889,257	12/26/89	STEFFES			
	AD	5,974,826	11/02/99	BALDWIN et al			
	AE	6,015,072	1/18/00	YOUNG			
	AF	6,105,844	8/22/00	WALTERS et al			
	AG	5,421,172	6/06/95	JONES			
	AH	1,871,153	8/09/32	BUCHANAN			
	AI	2,873,060	2/10/59	INMAN			
	AJ	4,598,746	7/08/86	RABINOWITZ			
	AK	4,796,758	1/10/89	HAUK			
	AL	4,877,128	10/31/89	STRICKLAND			
	AM	5,490,396	2/13/96	MORRIS			
	AN	5,526,907	6/18/96	TRAWICK et al			
	AO	5,562,228	10/08/96	ERICSON			
	AP	5,904,230	5/18/99	PETERSON			

## FOREIGN PATENT DOCUMENTS

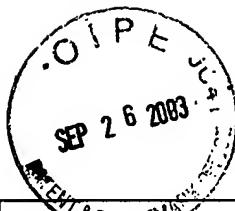
		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES NO PART.
	AQ						

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR	
--	----	--

EXAMINER	DATE CONSIDERED
----------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Sheet 2 of 2

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 100570-00036	SERIAL NO. 10/642,211
LIST OF REFERENCES CITED BY APPLICANT <i>(Use several sheets if necessary)</i>		APPLICANT Melvin S. MOGIL		
		FILING DATE August 18, 2003	GROUP	

#### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
BA		6,179,182 B1	1/30/01	HAYES			
BB		6,234,677 B1	5/22/01	MOGIL			
BC		6,238,091 B1	5/29/01	MOGIL			
BD		6,247,328 B1	6/19/01	MOGIL			
BE		6,264,084 B1	7/24/01	HAYES			
BF		Des. 273,533	4/24/84	WEINREB			
BG		Des. 340,387	10/19/93	MELK			
BH		Des. 373,515	9/10/96	MELK			
BI		Des. 375,835	11/26/96	CHRISTOPHER et al			
BJ		Des. 414,379	9/28/99	HABERKORN			
BK							
BL							
BM							
BN							
BO							
BP							

#### FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES NO PART.
	BQ						

#### OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

BR		
----	--	--

EXAMINER	DATE CONSIDERED
----------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.